

MARRERO, J

UNITED STATES DISTRICT COURT
FOR THE
SOUTHERN DISTRICT OF NEW YORK

USDS SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 4/2/08

New York Burger I, Inc.,
New York Burger II, Inc.,
New York Burger Co. LLC,
New York Burger Co. Franchising LLC,
New York Burger Co. Brands LLC,
Madeline Poley, and Spiros Zisimatos,

Plaintiffs,

- against -

New York Steak & Burger Co Inc.,

Defendant.

08 CV 01809 (VM) (HP)

**NOTICE OF DISMISSAL
WITHOUT PREJUDICE**

PLEASE TAKE NOTICE that, defendant not having served an answer or a motion for summary judgment, pursuant to Rule 41 (a)(1)(i) of the Federal Rules of Civil Procedure the above action is hereby dismissed without prejudice.

EINBINDER & DUNN, LLP

By: 

Matthew David Brozik (MB-6026)

Attorney for the Plaintiffs

New York Burger I, Inc.,

New York Burger II, Inc.,

New York Burger Co. LLC,

New York Burger Co. Franchising LLC,

New York Burger Co. Brands LLC,

Madeline Poley, and Spiros Zisimatos,

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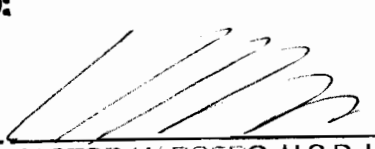
To: CLERK OF COURT
United States District Court, S.D.N.Y.

SCHWEITZER CORNMAN GROSS & BRONDELL LLP
Meyer Gross, Esq.
292 Madison Avenue
New York, New York 10017

SO ORDERED:

4-2-08

DATE


VICTOR MARRERO, U.S.D.J.